

Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor.

Of the first Board of Governors to be selected hereunder, those Governors to be elected pursuant to subsection (b) of this section shall be elected at the first national convention following May 8, 1947, those Governors to be elected pursuant to subsection (c) of this section shall be elected as soon as practicable following such first national convention, and those Governors to be appointed pursuant to subsection (a) of this section shall be appointed so as to take office at the same time. The Governors so elected pursuant to subsections (b) and (c) of this section shall be divided by lot into three classes, the terms of which shall expire at the end of one, two, and three years, respectively, so that thereafter one-third of the members of the Board of Governors elected pursuant to subsections (b) and (c) of this section will be chosen at the time of each national convention, and shall take office at such time or as soon as practicable thereafter.

The President of the United States shall fill as soon as may be any vacancy that may occur by death, resignation, or otherwise in the office of the principal officer of the corporation or in the membership of the Board of Governors appointed by him. Any vacancy that may occur in the Governors elected by the chapters pursuant to subsection (b) of this section or in the Governors-at-large elected by the Board of Governors pursuant to subsection (c) of this section, shall be temporarily filled by appointment made by the Board of Governors, such appointees to serve until the next national convention.

The Board of Governors shall have power (i) to appoint from its own members an executive committee of not less than eleven persons, who, when the Board of Governors is not in session, shall have and exercise all the powers of the Board of Governors, and (ii) to appoint and remove, or provide for the appointment and removal of, all officers and employees of the corporation, except the principal officer designated by the President of the United States.

The annual meeting of the corporation shall be the national convention of delegates of the chapters, which shall be held annually on such date and at such place as may be specified by the Board of Governors. In all matters requiring a vote at the national convention, each chapter shall be entitled to not less than one vote. The number of votes which each chapter shall be entitled to cast shall be determined according to allocation by the Board of Governors, which shall be established on an equitable basis giving consideration both to the size of the membership of the chapters and to the size of the populations in the territories served by the chapters. Such allocations shall be reviewed at least every five years.

Voting by proxy shall not be allowed at any meeting of the Board of Governors, or at the national convention, or at any meeting of the chapters: *Provided, however,* That in the event of any national emergency which in the opinion of the Board of Governors makes attendance at the national convention impossible, the Board of

Governors may permit the election of Governors by proxy at the national convention.

(Jan. 5, 1905, ch. 23, § 5, 33 Stat. 601; Dec. 10, 1912, ch. 1, § 1, 37 Stat. 647; Mar. 3, 1921, ch. 131, § 1, 41 Stat. 1354; May 8, 1947, ch. 50, § 6, 61 Stat. 82.)

AMENDMENTS

1947—Act May 8, 1947, amended section generally, enlarging the governing board and making the method of selection of its members more democratic.

1921—Act Mar. 3, 1921, provided that the executive committee of the central committee should consist of nine instead of seven persons, five of whom should be a quorum.

1912—Act Dec. 10, 1912, changed date of annual meeting from first Tuesday after first Monday in December to Wednesday preceding second Thursday in December.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 6. Annual report; audit of financial transactions

The American National Red Cross shall as soon as practicable after the first day of July of each year make and transmit to the Secretary of Defense a report of its proceedings for the fiscal year ending June 30, next preceding, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Department of Defense, and a copy of said report shall be transmitted to Congress by the Department of Defense.

(Jan. 5, 1905, ch. 23, § 6, 33 Stat. 602; Feb. 27, 1917, ch. 137, 39 Stat. 946; July 17, 1953, ch. 222, § 4(c), 67 Stat. 179.)

AMENDMENTS

1953—Act July 17, 1953, substituted “Secretary of Defense” and “Department of Defense” for “Secretary of War” and “Department of War”, respectively.

1917—Act Feb. 27, 1917, required reports of the preceding fiscal year to be made as soon as practicable after first of July of each year instead of on January first of each year.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 7. Reimbursement of Department of Defense for auditing expenses

The American National Red Cross annually shall reimburse the Department of Defense for auditing its accounts, and the sum so paid shall be covered into the Treasury of the United States as a miscellaneous receipt.

(May 29, 1920, ch. 214, § 1, 41 Stat. 659; July 17, 1953, ch. 222, § 5, 67 Stat. 179.)

CODIFICATION

Section is based upon provision appearing in act May 29, 1920, popularly known as the Executive, Legislative and Judicial Appropriation Act for fiscal year ending June 30, 1921.

AMENDMENTS

1953—Act July 17, 1953, substituted “Department of Defense” for “War Department”.

§ 8. Reservation of right to amend or repeal certain sections

Congress shall have the right to repeal, alter, or amend sections 1, 2 to 6, 8, and 9 of this title at any time.

(Jan. 5, 1905, ch. 23, § 7, 33 Stat. 602.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2 of this title.

§ 9. Endowment fund

The endowment fund of the American National Red Cross shall be kept and invested under the management and control of a board of nine trustees, who shall be elected from time to time by the Board of Governors under such regulations regarding terms and tenure of office, accountability, and expense as the Board of Governors shall prescribe.

(Jan. 5, 1905, ch. 23, § 8, as added June 23, 1910, ch. 372, § 2, 36 Stat. 604; amended May 8, 1947, ch. 50, § 7, 61 Stat. 83.)

AMENDMENTS

1947—Act May 8, 1947, changed election of trustees by incorporators and their successors to election by Board of Governors.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§§ 10, 11. Repealed. July 17, 1953, ch. 222, § 6, 67 Stat. 179

Section 10, acts Apr. 24, 1912, ch. 90, § 1, 37 Stat. 90; June 29, 1943, ch. 176, § 1, 57 Stat. 247, related to land and naval forces in time of war. See section 2602 of Title 10, Armed Forces.

Section 11, acts Apr. 24, 1912, ch. 90, § 2, 37 Stat. 91; June 29, 1943, ch. 176, § 2, 57 Stat. 248, related to transportation, subsistence and passport fees. See section 2602 of Title 10.

§ 12. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, act June 3, 1916, ch. 134, § 127a, as added June 4, 1920, ch. 227, subch. I, § 51, 41 Stat. 785; amended July 17, 1953, ch. 222, § 3, 67 Stat. 178, related to buildings for Red Cross supplies. See section 2670 of Title 10, Armed Forces.

§ 13. Permanent building at headquarters in Washington, D.C.

The permanent building erected upon square 172 in the city of Washington, District of Columbia, for the use of the American National Red Cross in connection with its work in cooperation with the Government of the United States shall remain the property of the United States but under the supervision of the Administrator of General Services and the American National Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of said building without expense to the United States.

(Feb. 7, 1930, ch. 42, §§ 1, 5, 46 Stat. 66; Ex. Ord. No. 6166, § 2, June 10, 1933; Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389; 1939 Reorg. Plan No. I, §§ 301, 303, eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1426, 1427; June 30, 1949, ch. 288, title I, § 103(a), 63 Stat. 380.)

CODIFICATION

Section is composed of sections 1 and 5 of act Feb. 7, 1930. Section 1 provided for erection of permanent building and section 5 for the ownership and supervision thereof.

TRANSFER OF FUNCTIONS

Functions of Federal Works Agency and of all agencies thereof, together with all functions of Federal Works Administrator transferred to Administrator of General Services by section 103(a) of act June 30, 1949. Federal Works Agency and office of Federal Works Administrator abolished by section 103(b) of that act. Section 103 is set out as section 753(b) of Title 40, Public Buildings, Property, and Works.

By section 5 of act Feb. 7, 1930, the permanent building was to remain under supervision of Director of Public Buildings and Public Parks of National Capital. The office of Public Buildings and Public Parks of National Capital abolished and its functions transferred to Office of National Parks, Buildings, and Reservations of Department of the Interior by Ex. Ord. No. 6166. The name of the latter office changed to "National Park Service" by act Mar. 2, 1934. The Branch of Buildings Management of National Park Service, with certain other agencies, consolidated as Public Buildings Administration under Federal Works Agency by sections 301 and 303 of Reorg. Plan No. I of 1939, set out in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of Title 40, Public Buildings, Property, and Works.

PERMANENT BUILDING FOR DISTRICT OF COLUMBIA CHAPTER

Joint Res. July 1, 1947, ch. 195, 61 Stat. 241, as amended Nov. 8, 1988, Pub. L. 100-637, § 1, 102 Stat. 3325, provided: "That authority be, and is hereby, given to the American National Red Cross to erect upon the south half of square 104 in the city of Washington, District of Columbia, a permanent building for the use of the District of Columbia Chapter, American National Red Cross, in connection with its work, in cooperation with the Government of the United States and its responsibilities under its charter granted by the Congress of the United States.

"SEC. 2. That the plans of the proposed building shall first be approved by the American National Red Cross, the Commission of Fine Arts and the National Capital Park and Planning Commission and the erection and design thereof shall be under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended [enacting sections 341, 342, 343 to 345a, 346, and 347 of Title 40, Public Buildings, Property, and Works] and as hereby further amended.

"SEC. 3. That the cost of the removal of the buildings on this site shall be borne by the American National Red Cross, District of Columbia Chapter, without expense to the United States.

"SEC. 4. That said permanent building shall remain the property of the United States but under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] and the American National Red Cross, District of Columbia Chapter, shall, at all times be charged with the responsibility, care, keeping, and maintenance of said building without expense to the United States.

"SEC. 5. That moneys of the American National Red Cross, District of Columbia Chapter, available for the construction of the aforesaid building, including any amount administratively determined necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expenses, may be trans-